

FILED

AUG 15 2014

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY 62 DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

ARUN AFTAB

CASE NUMBER:

W14-144M

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about August 11, 2014, in Bell County, in the Western District of Texas, defendant(s), in connection with the acquisition or attempted acquisition of a firearm, to-wit: a CZ-USA, Model P-09, 9mm pistol, from Guns Galore, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Guns Galore, which statement was intended and likely to deceive Guns Galore, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant made a false representation on ATF Form 4473, in violation of Title 18, United States Code, Section(s) 922(a)(6) and 924(a)(1)(A).

I further state that I am a(n) Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

continued on the attached sheet and made a part hereof: YES



\_\_\_\_\_  
GEORGE R. TAYLOR, Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms & Explosives

Sworn to before me and subscribed in my presence,

August 15, 2014

Date


Jeffrey C. Manske

U.S. Magistrate Judge

Name & Title of Judicial Officer

Waco, Texas

City and State



Signature of Judicial Officer

AFFIDAVIT

Your Affiant, George R. Taylor, being duly sworn, deposes and says:

I am employed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Special Agent and am assigned to the Waco Satellite Office. Affiant has been so employed for 12 years.

I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy. I have investigated numerous case related the falsification of records required to be maintained by a Federal Firearms Licensee (FFL). As a result of my training and experience as an ATF Special Agent, I am familiar with Federal firearms laws and know that it is unlawful for any person in connection with acquisition or attempted acquisition of any firearm or ammunition from a licensed dealer knowingly to make any false or fictitious oral or written statement intended or likely to deceive such dealer with respect to any fact material to the lawfulness of a sale or other disposition of such firearm or to make any false statement or representation with respect to the information required to be kept in the records of a FFL in violation of Title 18 U.S.C. 922(a)(6) and 924(a)(1)(A).

The following information comes from Affiant's own investigation and information provided to Affiant by other agents/officers and persons involved in this investigation:


On August 11, 2014, ARUN AFTAB entered Guns Galore, FFL #5-74-027-01-7E-38910, located at 4220 S. Ford Hood Street, Killeen, in the Western District of Texas. AFTAB completed an ATF Form 4473 for the purchase of a CZ-USA, Model P-09, 9mm, pistol, bearing serial number B368380. An ATF Form 4473 is a form which contains information required to be kept in the records of an FFL. On the first page of the form there is a series of question to be answered by the firearm purchaser. Among the questions is question 11(f) which reads, "Have you ever been adjudicated mentally defective which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs OR have you ever been committed to a mental institution?" The purchaser is provided the choice of checking "yes" or "no" as a response to the questions. In response to question 11(f) AFTAB checked the box marked "no".

Upon completion of the ATF Form 4473 an employee of Guns Galore called NICS, the National Instant Criminal Background Check System, and requested a background check and authorization for the sale and transfer of the firearm to AFTAB. The sale was denied based on multiple commitments to a mental institution.

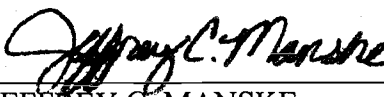
A records check shows that AFTAB was involuntarily committed to the Raritan Bay Medical Center by a Superior Court Judge for the State of New Jersey. Because a commitment to a mental institution is a substantial event in the life of an individual it is reasonable to believe that AFTAB was fully aware that he was falsifying the ATF Form 4473 when he answered no to question 11(f).

At the time of the attempted purchase AFTAB presented Texas Identification card. The Texas identification card bears AFTAB's image and identifiers. These identifiers match the identifiers on the records related to AFTAB's commitment to Raritan Bay Medical Center. Additionally, Guns Galore utilizes a high definition security camera system. A review of the security system video shows a man matching AFTAB's appearance completing the ATF Form 4473. While completing the 4473 AFTAB listed his address as an apartment complex located in Killeen, Texas. While conducting surveillance of the aforementioned apartment members of law enforcement observed a man they recognized as AFTAB entering and occupying the apartment.

Based on the above information, affiant believes that probable cause exists for the issuance of an arrest warrant for ARUN AFTAB for violation of Title 18, USC 922(a)(6) and 924(a)(1)(A), False Statement to a Federal Firearms Licensee.

  
\_\_\_\_\_  
GEORGE R. TAYLOR, Special Agent  
Bureau of Alcohol, Tobacco, Firearms  
and Explosives

SWORN TO AND SUBSCRIBED BEFORE ME on this the 15th day of August 2014.

  
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JEFFREY C. MANSKE  
United States Magistrate Judge